

Exhibit A

MICHAEL SHAMOS
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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ANYWHERECOMMERCE, : CIVIL DOCKET
INC., and BBPOS LIMITED :

PLAINTIFFS : NO.

: 1:19-cv-11457-IT

vs. :

INGENICO, INC., INGENICO :
CORP., and INGENICO :
GROUP SA :

DEFENDANTS :

- - -

REMOTE DEPOSITION OF
MICHAEL SHAMOS

- - -

Taken remotely, via Zoom, on Tuesday,
May 17th, 2022, beginning at 10:00 a.m., before
Beau Dillard, RPR, a Notary Public in and for
the Commonwealth of Pennsylvania, State of
New York and Certified Registered Professional
Reporter.

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VERITEXT NATIONAL COURT REPORTING COMPANY
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1801 Market Street - Suite 1800
Philadelphia, Pennsylvania 19103

1 MICHAEL SHAMOS

2 there's a -- there's -- at least when I read
3 it, I have the impression that there's a
4 reverse engineering being undertaken of the
5 mPOS device.

6 And maybe that's an incorrect
7 implication or conclusion that I'm reaching.
8 Is that what you're trying to -- is that what
9 you're expressing here?

10 A. Well, so I don't remember
11 everything in the security analysis. My
12 recollection is in Frisby they were looking at
13 both the devices and the software for the
14 devices.

15 Q. Okay.

16 A. Because I remember some -- I
17 recall some mention of potential hardware tax
18 that could be made against the devices which
19 suggests hardware reverse engineering.

20 Q. Well, you'll agree that the
21 publication says what it says?

22 A. Oh, absolutely.

23 Q. Fair enough. Okay. So let's
24 take a look at 82 of your report?

25 A. Uh-huh.

1 MICHAEL SHAMOS

2 Q. So you said here any detection
3 embodied in any BBPOS circuits could be readily
4 ascertained by reverse engineering.

5 Do you see that?

6 A. Yes. You open the box and you
7 look at the circuit.

8 Q. Okay. Is that the basis for
9 your opinion?

10 A. Yes.

11 Q. Okay is there any other
12 information that you -- or data that you looked
13 at that would be also relevant to the
14 conclusion that you reached?

15 A. Don't need any. If you allege
16 that a circuit is a trade secret and you put
17 your circuit in publically available devices,
18 it's no longer a trade secret, that's why we
19 have patents.

20 Anybody can open it up look at
21 it and say, oh, I can use that. I'll put that
22 in my device, no prohibition against that
23 unless it's patented.

24 Q. Does your conclusion in this
25 regard necessarily assume that it's in the